

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WISCONSIN

ESTATE OF RYLAN AISLEE
KOOPMEINERS, et.al.,

Plaintiffs,

and

Case No: 14 CV 1115

BLUE CROSS BLUE SHIELD OF WISCONSIN, et.al.,

Involuntary Plaintiffs,

vs.

SARAH GUMM, et.al.,

Defendants.

JOINT MOTION TO EXTEND TIME FOR DISCOVERY

The parties, by their respective undersigned counsel, respectfully request that the Court permit an extension to the discovery deadlines currently in place, on the following grounds:

1. On June 1, 2016, Judge Pepper signed an Order from a status conference setting the deadline for plaintiffs' expert witness disclosure and reports to be provided by September 9, 2016; defendants' expert disclosures by October 30; plaintiff's rebuttal disclosures by November 30, 2016 and all discovery to be completed no later than December 9, 2016.

2. The parties have been working cooperatively to schedule and take depositions necessary to prosecute and defend the claims in this action.

3. The deposition of defendant Sarah Gumm, who is incarcerated at Lincoln Correctional Center, Illinois, was initially scheduled for August 24, 2016, but it had to be canceled as Marlene Koehn, Sarah Gumm's mother, informed counsel for Care.com, that she

was obtaining counsel for Sarah Gumm. There have been several proposed dates to depose Ms Gumm, the latest September 20, 2016, which also had to be changed, as the correctional facility advised that parole hearings are being held in the only available conference room on that date. We are attempting to reschedule to September 14, 2016, although we have not received notification as of this writing, of counsel for Ms. Gumm.

4. The plaintiffs, Nathan and Reggan Koopmeiners deposition has been scheduled for October 20 and the morning of October 21, in Madison, Wisconsin.

5. The plaintiffs have noticed the depositions of several Care.com executives, all located in Waltham, Massachusetts. Despite diligent efforts, the parties have encountered many scheduling conflicts, due to other professional obligations, vacation schedules, witness availability and plaintiffs' counsel's request that the Care.com witnesses be produced on consecutive days, if possible, to avoid unnecessary travel to Massachusetts four or five times.

6. The parties have agreed that the depositions of Care.com witnesses, Martha Fan, David Krupinski, Jacob Marcus and Stephanie Manzo will be held on October 25 and October 26. The parties further agree, that if the plaintiffs require additional information regarding certain web pages that is not provided during the above depositions, then the deposition of Mike Allen, Care.com's Product Manager, will be held on another date that is agreeable to the parties, and may be conducted via videoconferencing.

7. The parties have conferred and jointly request an extension of the discovery deadlines to enable them to complete these depositions in order to prepare their expert witness disclosures. We respectfully request the deadlines to be extended as follows:

- Plaintiffs' expert witness disclosure and report:
From September 9, 2016 to December 9, 2016
- Defendant Care.com expert witness disclosure and report:
From October 21, 2016 to January 23, 2017

- Rebuttal expert disclosures and reports:
From November 30, 2016 to February 20, 2017
- Discovery deadline:
From December 9, 2016 to March 17, 2017
- Dispositive motion deadline:
From January 27, 2017 to April 21, 2017

8. This request is not being made for the purpose of delay or for any improper purpose, and the parties are not requesting any other modification of the scheduling order.

9. The trial date of October 23, 2017 and the pretrial date of September 29, 2017 will remain in place, subject to any future application.

WHEREFORE, the parties respectfully request that the Court grant the present Motion and extend the dates as set forth above.

Dated this 31st day of August, 2016.

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